

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 5th DAY OF JUNE, 1998

BEFORE

THE HON'BLE MR. JUSTICE CHANDRASHEKARAIAH

WRIT PETITION Nos 32551-552/1995.

BETWEEN:

W.P.No. 32551 /1995.

1. Shri. M. S. Papanna

Age: Major,

Occ: Business

R/o 66/1, 7th Cross,

8th Main, Rajmahal-

Vilas Extension,

Bangalore- 80.

... Petitioner.

W.P.No. 32552 /1995.

2. Shri. M. S. Mallappa

Age: Major, Occ: Business,

R/o 66/1, 7th Cross,

8th Main Rajmahal Vilas-

Extension, Bangalore-80. .. Petitioner.

(By Sri. Anant Mandgi, Adv. for Petitioners)

AND:

1. The Commissioner,
Corporation of the
City of Bangalore,
N.R.Road,
Bangalore-2.
 2. The Asst. Executive Engineer,
Corporation of the City-
Bangalore, Shivajinagar,
Bangalore- 1. ... Respondents.
- (By Sri. Ashok Harnahalli for Respondents.)

Writ petitions ~~as~~ filed under Articles
226 and 227 of the Constitution of India,
with an affidavit, praying to direct the
respondents not to demolish or dismantle the
petition premises without following the due
process of law and after providing an oppo-
rtunity to the petitioners of being heard
in the matter. and etc.,

Writ petitions ~~is~~ coming on for ~~orders~~ *final disposal*

this day the Court made the following:

O R D E R

The petitioner has challenged the provisional order passed by the Corporation U/s.321(1) and (2) of the Karnataka Corporations Act (for short the Act) apprehending that the Corporation may take steps to -
demolish the building belonging to the -
petitioner.

Under the scheme of the Act, the Corporation has no authority to demolish the building without passing a final order as contemplated U/s.321 (3) of the Act. In the said view of the matter, there is no reason for the petitioner to apprehend

428

- 4 -

any demolition without passing a final
order as contemplated U/s. 321 (3) of the
Act.

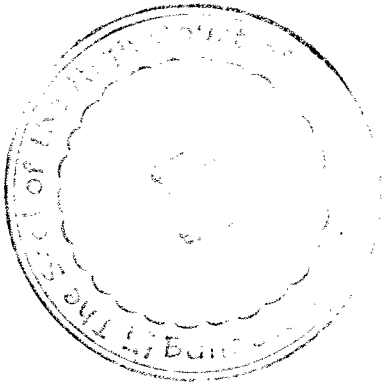
With these observations, these Writ
petitions are disposed of.

Sd/-JUDGE:

ss.

r.by: 2/8/98

c.by: VLK



192

20/4